EXHIBIT E12

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5 6	Plaintiffs,	Case No.	7		,		
7	vs. JOHNSON & JOHNSON; JOHNSON &	1522-CC09728-02	8				
8	JOHNSON CONSUMER COMPANIES, INC.; and IMERYS TALC		9				
9	AMERICA, INC., f/k/a LUZENAC AMERICA, INC.,						
10	Defendants.		10				
11			11				
12			12				
13	VIDEO-RECORDED DE	POSITION OF	13				
14	WILLIAM E. LON		14				
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16	January 25,	2019	16				
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19	11555 Medlock Br		19				
20	Suite 10 Johns Creek, 0						
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22	Debra R. Luther, RMR,	CDD	21				
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1	APPEARANCE:	S OF COUNSEL	1		INDEX TO EXH	HIBITS	4
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3	On behalf of the Plaintiffs:		3	<u>Exhibit</u>	<u>Description</u>	<u>Page</u>	
4	LEE CIRSCH, Esq. The Lanier Law Firm		4				
5	21550 Oxnard Street		5	1	Deposition notice		5
6	Third Floor Woodland Hills, California	91367		2	Tracey Young Relian	ce List	7
7	lee.cirsch@lanierlawfirm.	com	6	3	Appendix A, Johnson	n & Johnson	7
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10	JOHN L. EWALD, Esq.	1:55- 11 D		э	Sprague to Johnson,	with TEM	31
11	Orrick, Herrington & Sutc 51 West 52nd Street	IITTE, LLP	10		analysis of Windsor		
12	New York, New York 100 jewald@orrick.com	019-6142	11	6	Excerpt from Manua		90
	jewala@offick.com		12		21st Edition, (Klein a	and Hurlbut)	
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14	Imerys Talc America, Inc.:		13		Their Asbestiform Va Mineralogical Definit		
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17	St. Louis, Missouri 6310		16	8	ISO 22262-1		104
18	mprost@sandbergphoeni swalsh@sandbergphoenix		17				
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20	Also Present:		40		(Original Exhibits 1 tl ned to the original tra		peen
21	George Montiel, Videogra	nher	19	attaCf	ieu to the original tra	niscript.)	
	George Monder, Videogra	priici	20 21				
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Ca	SE 3:16-M0-02738-MAS-RES - Document 974 7 85	4-18 H	led 05/07/19 Page 4 of 7 PageID: 47560
40.00.07 1	or is it MAS generally? I can't remember.		dispersion staining you can have differentiation in
13:23:37 1		13:26:38	
	MR. CIRSCH: Object to form.	13:26:41 2	the color that you're seeing under dispersion
13:23:40 3	THE WITNESS: I don't know. I'd have to	13:26:48 3	staining, the intensities of the golds, sort of the
13:23:42	look at the affidavit.	13:26:53	gold to bluish and the extinction angle, as well as
13:23:45 5	Q. (By Mr. Ewald) Separate from the	13:26:59 5	looking at the refractive indices, determination in
13:23:46	affidavit, do you have an estimate about how many	13:27:05 6	the 1.605 refractive indices fluid.
13:23:49	products you have personally tested for the presence	13:27:10 7	Q. Do you know whether tremolite and
13:23:52	of asbestos over your career?	13:27:14	actinolite have can have a low extinction angle?
13:23:57	A That I've personally tested?	13:27:19 9	A. Well, it has an oblique extinction angle
13:23:59 10	Q. Personally tested.	13:27:22 10	off of 90 degrees. It can be anywhere from 2 to
13:24:00 11	A. Over my career?	13:27:24 11	3 degrees, 4 degrees, up to 10 to 15 degrees. And
13:24:02 12	Q. Yes.	13:27:27 12	that's the primary and anthophyllite is typically
13:24:06 13	A. Thousands.	13:27:32 13	parallel extension.
13:24:07 14	Q. And how many of those occasions involved	13:27:39 14	Q. The report talks about using and you
13:24:11 15	you analyzing the sample using PLM?	13:27:41 15	just referenced it a 1.605 refractive indices; is
13:24:17 16	A. Not any, that I'm aware of. Those would	13:27:48 16	that correct?
13:24:23 17	all be TEM analysis.	13:27:48 17	A. The RI fluid is 1.605.
13:24:28 18	Have you ever personally analyzed a sample	13:27:53 18	Q. And did your analyst in doing the PLM test
13:24:38	for the presence of asbestos using PLM?	13:27:59 19	for this January 2019 report use any other dispersion
13:24:41 20	A. From start to finish? No.	13:28:07 20	liquids?
13:24:44 21	Q. What training, if any, do you have with	13:28:08 21	A. Refractive indices liquids, no.
13:24:49 22	respect to using PLM to analyze samples for the	13:28:12 22	Q. Do you know whether your lab has any other
13:24:54 23	presence of asbestos?	13:28:18 23	refractive indices liquids available?
13:24:55 24	A. I mean, besides understanding the	13:28:21 24	A. We have them all. When I say that,
13:25:01 25	procedure that's used and why you do the different	13:28:24 25	occasionally they'll use the 1.55 to verify the
	Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com		Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com
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13:25:04 1	86 how you gather the information for their refractive	13:28:27 1	88 fibrous talc. We have them all. We have a big set
13:25:04 1 13:25:07 2		13:28:27 1 13:28:30 2	
	how you gather the information for their refractive	_	fibrous talc. We have them all. We have a big set
13:25:07 2	how you gather the information for their refractive indices, the elongation, the dispersion staining, the	13:28:30 2	fibrous talc. We have them all. We have a big set of them.
13:25:07 2 13:25:13 3	how you gather the information for their refractive indices, the elongation, the dispersion staining, the procedure that's used and periodically will be asked	13:28:30 2 13:28:30 3	fibrous talc. We have them all. We have a big set of them. Q. Do you know whether your analyst for the
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13:25:07 2 13:25:13 3 13:25:18 4 13:25:22 5	how you gather the information for their refractive indices, the elongation, the dispersion staining, the procedure that's used and periodically will be asked by one of the analysts to take a look at this, what do you think, but I don't routinely I don't do PLM	13:28:30 2 13:28:30 3 13:28:36 4 13:28:45 5	fibrous talc. We have them all. We have a big set of them. Q. Do you know whether your analyst for the work done in this January 2019 report used the 1.550 refractive index for any sample they looked at?
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13:25:07	how you gather the information for their refractive indices, the elongation, the dispersion staining, the procedure that's used and periodically will be asked by one of the analysts to take a look at this, what do you think, but I don't routinely I don't do PLM analysis. Q. How did you obtain the knowledge that you do have with respect to PLM? A. Well, over the years as a materials scientist, optical microscopy is one of the techniques that I have used to look at and identify things of interest, and as a PhD in materials science and as somebody who has used optical microscopes routinely and polarized light for looking at, I understand the principles of how it's done. I guess that's what PhDs do. Q. For the PLM testing for this January 2019 report, do you have an understanding of what the analyst did to differentiate between tremolite/actinolite on one hand and anthophyllite on the other?	13:28:30	fibrous talc. We have them all. We have a big set of them. Q. Do you know whether your analyst for the work done in this January 2019 report used the 1.550 refractive index for any sample they looked at? A. I don't know, but I'm just saying occasionally the analyst will do that. Q. How would we know whether or not the analyst did that? A. If you go through all the PLM analyses, usually when there's other things besides asbestos, occasionally you might see the 1.55 for fibrous talc. I don't know if that happened here or not, but I know in other cosmetic talc manufacturers, products where we've analyzed, that had shown up. But for the amphiboles, it's 1.605. Q. Okay. Let's go back to the report. And page 23 I'll let you make a note about that MR. CIRSCH: You can keep that. THE WITNESS: Hopefully I won't have to use it anymore. Golly.
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Filed 05/07/19 - Page 6 of 7 PageID: CERTIFICATE 1 Shin group. 1 14:35:13 2 And then you did not -- well, strike that. 14:35:15 2 Q. 3 STATE OF GEORGIA: Do you have an understanding of when 14:35:18 3 COUNTY OF GWINNETT: Imerys first began to supply talc for Johnson & 14:35:19 5 Johnson Baby Powder? 14:35:27 5 6 I hereby certify that the foregoing Other than what's in Johnson & Johnson's Α. 14:35:27 6 7 transcript was taken down, as stated in the interrogatories, which has this -- where it was 14:35:33 7 8 caption, and the questions and answers thereto coming from Vermont, and what they state they got it, were reduced to typewriting under my direction; 14:35:41 9 I don't remember off the top of my head the exact 10 that the foregoing pages 1 through 126 represent 14:35:44 a true, complete, and correct transcript of the 11 years that Imerys started supplying it. 14:35:46 10 12 evidence given upon said hearing, and I further 14:35:49 11 All right. You've made no attempt to certify that I am not of kin or counsel to the 13 calculate a percentage of positive asbestos samples 12 14:35:51 parties in the case; am not in the regular 14 13 that were supplied by Imerys versus all of them, 14:35:54 15 employ of counsel for any of said parties; nor nothing like that, have you? 14 14:35:59 16 am I in anywise interested in the result of said MR. CIRSCH: Object to form. 14:36:00 15 17 case. 16 THE WITNESS: No. 14:36:00 This, the 26th day of January 2019. 18 14:36:02 17 (By Mr. Prost) You mentioned in the 15 19 18 railroad car samples that there was a percentage of 14:36:04 20 positive findings of asbestos, and it looked like it 14:36:08 19 DEBRA R. LUTHER, B-881 20 was a bit lower than all of the samples you studied. 14:36:11 21 Georgia Certified Court Reporter 21 For just the Imerys samples, that's 22 correct. 14:36:22 22 23 Q. And do you have any explanation why the 14:36:22 23 Imerys samples would be lower than the finished 14:36:25 24 24 14:36:28 **25** product samples that you've tested? 25 Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com 126 COURT REPORTER DISCLOSURE 1 1 MR. CIRSCH: Object to form. 14:36:32 2 Pursuant to Article 10.B. of the Rules and THE WITNESS: Let's see. Eight out of 15, 14:36:34 Regulations of the Board of Court Reporting of the 3 Judicial Council of Georgia which states: "Each court 14:37:15 that's 50-something. That's slightly lower. reporter shall tender a disclosure form at the time And on a population of 15 samples versus 56 or 14:37:20 of the taking of the deposition stating the arrangements made for the reporting services of the 57 containers, I'm not sure that's enough 14:37:27 5 certified court reporter, by the certified court reporter, the court reporter's employer, or the difference in samples spread to say one's lower 14:37:30 6 referral source for the deposition, with any party to than the other yet. But if you just do the the litigation, counsel to the parties or other 14:37:33 entity. Such form shall be attached to the 8 math, I would agree; it's slightly lower. 14:37:37 R deposition transcript," I make the following disclosure: MR. PROST: It's already 2:38, so I'm 14:37:41 9 g I am a Georgia Certified Court Reporter. I am going to go ahead and stop now but reserve the 10 14:37:43 10 here as a representative of Atlanta Reporters. Inc. Atlanta Reporters was contacted by Shook, Hardy & 11 right to ask some more questions. 14:37:46 Bacon, LLP, to provide court reporting services for 11 12 MR. EWALD: We are breaking for the day, the deposition. Atlanta Reporters will not be taking 12 this deposition under any contract that is prohibited 13 and we'll resume at some later identified date. 14:38:01 by OCGA 15-14-37(a) and (b). 13 (Deposition adjourned at 2:38 p.m.) 14:38:12 14 Atlanta Reporters has no contract/agreement to provide reporting services with any party to the 14 14:38:21 15 (Pursuant to Rule 30(e) of the Federal case, any counsel in the case, or any reporter or 16 Rules of Civil Procedure and/or OCGA 9-11-30(e), reporting agency from whom a referral might have been 15 made to cover this deposition. Atlanta Reporters signature of the witness has been reserved.) 16 will charge its usual and customary rates to all parties in the case, and a financial discount will 18 (Original transcript sent to Shook, 17 not be given to any party to this litigation. Hardy & Bacon, LLP.) 19 18 20 19 21 20 22 DEBRA R. LUTHER, B-881 21 Georgia Certified Court Reporter 23 22 24 23 24 25 Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com Atlanta Reporters, Inc. 866-344-0459 www.atlanta-reporters.com

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